IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.673/01

Ghasilal & Ors. **Versus** State & Anr.

DATE OF ORDER :: 13/09/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. R.P. Garg, for petitioners
Mr. B.K. Sharma, Public Prosecutor for State

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Instant petition has been filed against the order dated 28th October, 1998 whereby learned Magistrate in exercise of power u/ss.145 & 146 Cr.P.C. appointed Receiver – against which revision petition was preferred which was dismissed vide order dated 2nd May, 2001.

After issuance of notice to the respective parties, learned Executive Magistrate considered it appropriate to appoint Receiver u/s.146 Cr.P.C. and which also finds favour with the Court of Revision.

This court has gone through the order impugned and finds that no error has been committed by learned Magistrate. However, it is made clear that since revenue suit is pending between the parties in regard to dispute in question and it was only interim arrangement under order impugned, their inter se rights with

respect to title and possession will be decided on the basis of pending revenue suit.

Consequently, the misc. petition stands dismissed.

[AJAY RASTOGI],J.

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